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ABSTRACT

Definitions of proprietary institutions by various states, the degree-granting powers of those institutions, and the authority of state agencies to approve degree programs and to license them were investigated. Forty-three states and Puerto Rico responded to the survey (nonresponding states were Delaware, Maryland, New Hampshire, North Dakota, Vermont, Wisconsin, and Wyoming). In general, it was found that states define proprietary institutions as private educational institutions organized "for profit." In most states, "for-profit" institutions are eligible to confer degrees. Few of the total number of eligible schools in a state, however, actually confer degrees. State Higher Education Executive Officers agencies usually are responsible for granting the authority to confer degrees, and are are also responsible for administering state laws, regulations, and standards respective to the nonpublic "nonprofit" postsecondary institutions. The State Departments of Education usually have responsibility for licensing these institutions. State licensing and/or degree-authorizing agencies for each state are identified. In addition, state definitions of proprietary institutions and state statutes and rules are included, and survey respondents are listed. A questionnaire is appended. (SW)

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State Oversight of Degree Granting Authority in Proprietary Institutions

Report of a SHEEO Survey

By
John R. Wittstruck

NIE 017 095

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January 1984

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State Oversight of Degree Granting
Authority in Proprietary Institutions:
Report of a SHEEO Survey

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Foreword

American higher education, long known for its diversity, has a new and growing sector--proprietary institutions. Operating for profit and awarding traditional academic credit and degrees, these institutions are rapidly expanding their offerings from business and commercial fields into such popular programs as engineering technology and computer science.

Their success is apparent in the market place. The survey which follows reports that there are more than 700 degree granting institutions in just the 29 states who responded to this inquiry.

Most degree granting proprietary institutions obtain their accreditation from either the National Association of Trade and Technical Schools (NATTS) or the American Association of Independent Colleges and Schools (AICS). In addition, the regional accrediting associations now accept proprietaries on the same basis as nonprofit and public institutions. (In 1979 the federal government threatened to suspend the Southern Association of Colleges and Schools as an authorized accrediting body because of its alleged discriminatory treatment of Sullivan Junior College, a proprietary institution in Kentucky).

Proprietary institutions provide special challenges to state regulatory agencies because they can represent both the best and worst practices in postsecondary education. State agencies, on the one hand, must develop oversight policies that will protect students from fraud and the consequences of irresponsible financial management while also protecting the integrity of academic credit. At the same time they must not be so exclusionary in their policies as to deny students access to programs which can rank among the most effective and efficient in the country.

Unfortunately, public policy in many states has not kept pace with the development of the proprietary sector. State oversight is often fragmented and state definitions and distinction are sometimes unclear and inappropriate. A few states prohibit outright the granting of degrees in proprietary institutions. The report which follows raises important questions about these issues and the need to include this growing sector in a comprehensive approach to statewide coordination and planning.

We welcome your comments and reactions to this report and will look to other ways that the SHEEO staff can address this issue.

James R. Mingle
Executive Secretary

State Oversight of Degree Granting Authority in Proprietary Institutions: Report of a SHEEO Survey

I. Introduction

In October, 1983, Dr. Eleanor McMahon, Commissioner of Higher Education in Rhode Island, requested that the State Higher Education Executive Officers (SHEEO) complete a survey for her on the degree granting authority of proprietary institutions. Rhode Island standards for the granting of degrees specifically exclude proprietary institutions and Dr. McMahon wanted to know if this was typical in other states. The survey, developed and distributed by the Rhode Island Office of Higher Education, requested information on how states define proprietary institutions; whether or not these institutions could confer degrees; the extent of state laws and regulations pertaining to their degree granting powers; what state agencies have the authority to approve degree programs offered by these schools, and to license them; and what standards states use to evaluate a proprietary institution when granting it approval to confer degrees. In addition, information was requested about any litigation resulting from state actions to preclude proprietaries from granting degrees.

The persons who completed this survey and attached copies of state laws, rules, regulations and other related material are listed in Appendix 3; the attached material is listed in Appendix 4.

II. Survey Procedures

In October 1983, the survey found in Appendix 1 was distributed to 50 states, the District of Columbia and U. S. Territories. Forty-three states and Puerto Rico responded to the survey, for a response rate of 85 percent. In addition to the District of Columbia, the seven states which did not respond were Delaware, Maryland, New Hampshire, North Dakota, Vermont, Wisconsin, and Wyoming.

Readers are cautioned that when clasifying states in the tables found in Section III, staff made interpretive judgments with which some respondents might take issue. Please refer to appendices 2 and 4 for material submitted by the states on the survey form.

III. Findings

A. Proprietary School Definitions

Twelve states and Puerto Rico generally define proprietary schools as educational institutions organized "for-profit." While this was the one definition most frequently reported, twenty-two states define them differently and nine states have no statutory, regulatory or operational definition for proprietary institutions. Table 1 lists the responding states under general categories of proprietary school definitions. Since some liberty was taken in including states under one of the six categories used in Table 1, readers are referred to

Appendix 2 where the respective state definitions are reported.

B. Eligibility to Confer Degrees

Table 2 lists the 37 states and Puerto Rico that responded to the question "Can proprietary institutions in your state confer degrees?" and gave the year in which this authority began. The basis for the degree granting authority (state statute, agency regulations, or both), the number of proprietary schools in the state and the number that are conferring degrees are also reported.

Proprietary schools may grant degrees in 41 states and Puerto Rico. Some states, however, did report conditions restricting the eligibility of their proprietary schools to confer degrees. For example, in Colorado, schools cannot confer degrees below the baccalaureate, unless they are accredited. Kansas' proprietary schools must meet the established academic standards for degree granting institutions before they are given degree granting status. The authority to grant degrees in Oklahoma must be obtained from the Regents for Higher Education. Only the legislature in Maine can grant proprietary schools the authority to confer degrees.

Michigan and Rhode Island reported that proprietary schools could not confer degrees. In Michigan the barrier preventing proprietary schools from conferring degrees is statutory; in Rhode Island it is regulatory.

Arizona, Kansas, South Dakota, Missouri and Virginia all reported that

Table 1

STATE DEFINITIONS OF PROPRIETARY INSTITUTIONS

Private Schools Offering Occupational/ Technical Courses for Fee or Tuition	Private Schools Organized "For-Profit or "Not-for-Profit"	"For-Profit"	Private Higher/ Postsecondary Institutions	No Definition	Other
Connecticut 1	Colorado 1	Illinois	Arkansas	Alabama	Florida
Idaho	Georgia	Kansas	Texas	Alaska 2	Hawaii
Indiana	Louisiana	Massachusetts	West Virginia	Arizona	Nebraska
Kentucky	Michigan	Minnesota		California	Nevada
Maine	Missouri	Mississippi		Iowa	Tennessee
Oregon 3	Rhode Island	New Jersey		Montana	
Pennsylvania 4		New York		New Mexico	
South Carolina		North Carolina		South Dakota	
		Ohio		Utah	
		Oklahoma			
		Puerto Rico			
		Virginia			
		Washington			

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1. Definition of private occupational schools; proprietary institutions per se are not defined.
2. Alaska has no legal definition for proprietary schools, but the commonly assumed definition and usage is "for-profit."
3. Oregon defines vocational schools as being "proprietary vocational, technical..." but does not mention in its definition fees or tuition.
4. Pennsylvania does not define proprietary institutions, but does define private trades and private business schools.
5. In Oklahoma, the schools are those organized "for-profit" that do not award college credit.

Table 2

STATES INDICATING THAT PROPRIETARY SCHOOLS ARE ELIGIBLE TO CONFER DEGREES; YEAR AUTHORITY ESTABLISHED; BASIS FOR ELIGIBILITY; NUMBER OF PROPRIETARY SCHOOLS; AND THE NUMBER CONFERRING DEGREES

Where Proprietary Schools May Confer Degrees	Year Authority Established	Basis for Eligibility	Total Number of Proprietary Schools	No. of Proprietary Schools Conferring Degrees
Alabama	NR	NR	180	NR
Alaska	1976	Regulations	100	1
Arizona	NA	NA	NR	NR
Arkansas	1975	Statute	NR	NR
California	1935	Statute	2,364	377
Colorado	1981	Both	125	18
Connecticut	1974	Statute	60	2
Florida	1971	Both	295	23
Georgia	1978	Statute	300	10
Idaho	1963	Statute	NR	NR
Illinois	1961	Both	500	14
Indiana	1972	Both	94	23
Kansas	NR	Statute	50	0
Kentucky	1976	Statute	70	70
Louisiana	1976	Statute	NR	NR
Maine	NR	Statute	35	4
Massachusetts	NR	Regulations	178+	1
Minnesota	1969	Statute	50-100	5
Mississippi	NR	Both	60	2
Missouri	1983	NR	400 Est.	40
Montana	NR	Statute	NR	0
Nebraska	1977	Statute	64	2
Nevada	1975	Both	NR	NR
New Jersey	1972	Both	NR	1
New York	1971	Regulations	400	28
North Carolina	1970	Regulations	20	11
Ohio	1976	Regulations	324	45
Oklahoma	NR	Statute	200	1
Oregon	1937	Statute	150	2
Pennsylvania	1970	Regulations	3,300	NR
Puerto Rico	1976	Regulations	8	8
South Carolina	1924	Statute	69	6
South Dakota	NR	Statute	NR	NR
Tennessee	NR	NR	NR	NR
Texas	1975	Statute	NR	2
Virginia	NR	NR	100	1
Washington	NR	NR	18	1
West Virginia	1982	Both	60	8

NA: Not applicable as no statutes or regulations exist

NR: Not reported

there were no statutes addressing the subject of proprietary schools conferring degrees. New Jersey also is without statute, but in 1972 adopted regulations delineating the conditions for proprietary schools to become licensed. Hawaii and Iowa reported that the only statutes regarding proprietary schools dealt with truth in advertising, requirements for proper incorporation and general consumer fraud legislation.

C. Agencies Responsible for Authorizing the Granting of Degrees and Licensure

In twenty-four states, the SHEEO agency is responsible for granting proprietary schools the authority to confer degrees. Most states reported that this responsibility fell under their general statutory provisions to review and approve degrees and degree programs for higher and postsecondary education, or, in the case of a state like Missouri, in their responsibility to authorize institutions to operate. Nine state SHEEO agencies (Alaska, Arkansas, Florida, Missouri, New Jersey, New York, Pennsylvania, Tennessee, and Texas), and Puerto Rico also have licensure and certification authority for those proprietary schools offering degrees. The Rhode Island SHEEO agency has licensure and certification authority for proprietary schools, but the state regulations preclude these schools from granting degrees. In Colorado, the Commission on Higher Education has responsibility for authorizing Private Occupation Schools to grant degrees; however, the Commission delegates this function to the State Board for Community Colleges and Occupational Education. Indiana, Kentucky, Mississippi and Ohio have

special Boards and/or Commissions that authorize the operations of proprietary schools and generally regulate their activities.

Table 3 lists those state agencies that have responsibility for licensing, authorizing and/or certifying the degree granting powers of proprietary schools. While the SHEEO agencies in general authorize and approve the degree programs offered by proprietary schools, the licensing function is vested most often in State Departments of Education and the professional licensing boards. In some instances, the licensing boards are part of the State Departments of Education (e.g. Florida); in others the licensing boards are separate state agencies (e.g. Georgia). In Kentucky, the State Board for Proprietary Education is responsible for authorizing the granting of degrees by proprietary schools and licensing them.

D. Degrees Proprietary Institutions Confer

Eighteen states, listed in Table 4, reported that proprietary schools were eligible to confer any degree (from the associate to doctorate); however, to do so, the institution must obtain approval from the state agency responsible for approving degrees and degree programs -- generally the SHEEO agency. As noted earlier, only two states, Michigan and Rhode Island, reported that proprietary institutions were excluded from eligibility to confer degrees.

Table 4 also lists the fifteen states where eligibility to confer degrees is generally limited to associate degrees (e.g. the Associate

Table 3

STATE AGENCY RESPONSIBLE FOR AUTHORIZING DEGREE GRANTING AUTHORITY AND LICENSING IN PROPRIETARY INSTITUTIONS

State	Authorized to Grant Degrees By	Licensed By
Alabama	None	State Department of Education
Alaska	*Commission on Postsecondary Education	*Commission on Postsecondary Education
Arizona	None	NR
Arkansas	*State Board of Regents	*State Board of Regents
California	State Department of Education	State Department of Education
Colorado	*Commission on Higher Education	State Board for Community Colleges and Occupational Education
Connecticut	*Department of Higher Education	State Department of Education
Florida	*State Department of Education	*Licensing Board of the Department of Education
Georgia	State Department of Education	Professional Licensing Boards
Hawaii	None	State Department of Education
Idaho	NR	NR
Illinois	*Board of Higher Education	Department of Education, Transportation, Secretary of State
Indiana	Commission on Postsecondary Proprietary Education	State Occupational Licensing Boards
Iowa	NR	NR
Kansas	*Board of Regents	State Department of Education
Kentucky	Board of Proprietary Education	Board of Proprietary Education
Louisiana	State Department of Education	State Department of Education
Maine	State Legislature	Department of Educational/Cultural Services
Massachusetts	*Board of Regents	State Department of Education
Michigan	State Department of Education	State Department of Education
Minnesota	*Higher Education Coordinating Board	State Department of Education
Mississippi	Commission on College Accreditation	*Commission on School and College Registration
Missouri	*Coordinating Board for Higher Education	*Coordinating Board for Higher Education
Montana	*Board of Regents	State Department of Commerce
Nebraska	State Department of Education	State Department of Education
Nevada	NR	NR
New Jersey	*Department of Higher Education	**Department of Education
New Mexico	NR	NR
New York	*State Department of Education	*State Department of Education
North Carolina	*Board of Regents	State Department of Education
Ohio	Board of School/College Registration	Board of School/College Registration
Oklahoma	*State Regents for Higher Education	State Board of Private Schools
Oregon	*Educational Coordinating Commission	Department of Education

Table 3

STATE AGENCY RESPONSIBLE FOR AUTHORIZING DEGREE GRANTING AUTHORITY AND LICENSING IN PROPRIETARY INSTITUTIONS

State	Authorized to Grant Degrees By	Licensed By
Pennsylvania	*State Department of Education	*State Department of Education
Puerto Rico	*Council on Higher Education	*Council on Higher Education
Rhode Island	None	*Office of Higher Education
South Carolina	*Commission on Higher Education	State Board of Education
South Dakota	None	Department of Education/Cultural Affairs
Tennessee	*Higher Education Commission	*Higher Education Commission
Texas	*Coordinating Board, College and University System	**Education Agency
Utah	NR	NR
Virginia	*Council of Higher Education	State Department of Education
Washington	*Council for Postsecondary Education	NR
West Virginia	*Board of Regents	State Department of Education

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* - Denotes a SHEEO Agency

** - Degree granting proprietary institutions in New Jersey and and Texas are licensed by SHEEO agencies

NR - Not reported

of Occupational Studies). These are considered in many states to be non-transferable. Examples of what states reported are:

Arkansas: Typically the State Board of Higher Education certifies covered institutions for only the A.A.S. degree. The law does not, however, specify a limitation or level.

Colorado: A.A.S.; A.S.; A.A.; (a regionally accredited, for-profit institution could offer any of these).

Florida: A.A.S.; A.S.; A.A.; specialized Associate of Applied Science; degrees at the baccalaureate, masters' and doctoral level if approved to do so.

Indiana: A.A.S.; A.S.; A.A.; B.A.S.

Illinois: A.A.S.; Associate of Technology; baccalaureate degrees in computer science for business, electronic engineering technology, and interior design; masters' degrees in business administration, clinical psychology and criminology; and doctoral degrees in school psychology and clinical psychology.

Kentucky: A.S.; A.A.; plus diplomas and certificates

Louisiana: A.O.S.

Maine: Usually the associate level for whatever degree they wish to

offer, provided that authority is obtained.

Nebraska: Associate level degrees plus the diploma and certificate.

New Jersey: A.A.S.

Ohio: A.O.S.; A.A.S.; basically associate degrees. Few baccalaureate degrees are granted; these must be approved by the Board of Regents.

Oklahoma: A.A.S.

Pennsylvania: Associate of Specialized Technology (A.S.T.) and Associate of Specialized Business (A.S.B.).

Puerto Rico: A.O.S.; A.A.S.; A.S.; A.A.; degrees at the baccalaureate, masters' and doctoral level if authorized at the time the school obtains its license to operate.

West Virginia: A.O.S.; A.A.S.; A.S.; A.A.; Associate of Business.

E. Degree Granting Regulations and Standards for Accreditation

Many states treat proprietary institutions as nonpublic independent institutions of postsecondary education when reviewing applications for degree granting authority. In the majority of responding states (22) and Puerto Rico the same regulations apply to proprietary and non-proprietary institutions (Table 5). Only six states (Arkansas,

Table 4

DEGREES PROPRIETARY INSTITUTIONS ARE ELIGIBLE TO CONFER

Not Reported	Eligible to Offer Any Degree*	Generally Associate Degrees*	Cannot Confer Degrees
Alabama	Alaska	Arkansas	Michigan
Hawaii	Arizona	Colorado	Rhode Island
Idaho	California	Florida	
Iowa	Connecticut	Indiana	
Montana	Georgia	Kentucky	
South Dakota	Kansas	Illinois	
Tennessee	Massachusetts	Louisiana	
Utah	Minnesota	Maine	
Washington	Mississippi	Nebraska	
	Missouri	New Jersey	
	Nevada	Ohio	
	New York	Oklahoma	
	North Carolina	Pennsylvania	
	Oregon	Puerto Rico	
	South Carolina	West Virginia	
	Texas		
	Virginia		

*In all states reporting that proprietary institutions are eligible to confer degrees, the degree conferred and the degree program requires approval from the appropriate state agency.

Florida, Kentucky, Massachusetts, and Pennsylvania) reported different regulations for proprietary institutions.

The states reporting the relationship between their respective standards for approving degree granting authority and regional accreditation are listed also on Table 5. Nineteen states reported using regional accreditation to some degree in developing their own standards for approval. In five of these states (California, Georgia, Louisiana, Oklahoma, and Texas), the school must first have authorization to operate and be approved in the state before the institution may apply for regional accreditation. The question of whether state approval or regional accreditation must come first was unclear in the reports of four states (Connecticut, Hawaii, Virginia, and West Virginia).

The most frequently cited (10 states) relationship between approval to grant degrees and regional or specialized accreditation was that an institution's accreditation would be accepted as partial, minimal or complete evidence for granting the school authority to confer degrees in the state.

Three states (Indiana, New York, and South Carolina) of the fourteen states and Puerto Rico that reported there is no relationship between the standards for proprietary schools seeking degree granting authority and regional accreditation offered these comments on their respective survey replies:

Indiana: "The Commission for Postsecondary Proprietary Education requires no accreditation other than its own eligibility to apply for degree authority."

New York: "The Regents in New York are recognized by the U.S. Department of Education as a national accrediting agency. They differ from the regional accrediting associations in that their accreditation applies at the program level rather than the institutional level. Any degree granting institution in New York may seek regional accreditation if it chooses; some proprietary schools have done so."

South Carolina: "Accreditation is not required, although accreditation by any Council on Postsecondary Accreditation (COPA) recognized accrediting agency is considered as evidence that standards have been met by in-state-institutions only. Out-of-state institutions must be examined even if appropriately accredited."

F. Litigation

Only two states, Florida and Mississippi, reported that their state has been involved in litigation with proprietary schools over the states' requirements for obtaining degree granting authority.

The Florida respondent reported that the litigation between the State of Florida and proprietary schools was "much too numerous to cite each case on the survey instrument." Florida also reported that it has a

Table 5

DEGREE GRANTING REGULATIONS AND REGIONAL ACCREDITATION

Proprietary and Nonproprietary Regulations to Grant Degrees are the:	
Same	Different
Alaska	Arkansas
California	Florida
Colorado	Georgia
Illinois	Kentucky
Indiana	Massachusetts
Kansas	Pennsylvania
Maine	
Michigan	
Minnesota	
Mississippi	
Missouri	
Montana	
New York	
North Carolina	
Oklahoma	
Oregon	
Puerto Rico	
South Carolina	
South Dakota	
Tennessee	
Texas	
Virginia	
West Virginia	

Standards Authorizing Degree Granting Power and Regional Accreditation Relationship:	
Exists	Does Not Exist
Alaska	Illinois
Arkansas	Indiana
California	Kansas
Colorado	Kentucky
Connecticut	Maine
Florida	Massachusetts
Georgia	Michigan
Hawaii	Minnesota
Louisiana	Nebraska
Mississippi	New York
Missouri	Oregon
Montana	Pennsylvania
North Carolina	Puerto Rico
Ohio	South Carolina
Oklahoma	Washington
South Dakota	
Texas	
Virginia	
West Virginia	

"continuing effort in which unlicensed institutions are taken to court to have them cease offering courses until they are licensed."

In Mississippi, the Mississippi Commission on College Accreditation (MCCA), grants proprietary institutions the authority to confer degrees and their license to operate. In its "Minimum Standards for Accreditation," the MCCA has stated that: "The Commission has adopted as its standards the standards of the Southern Association of Colleges and Schools. Official Southern Association of Colleges and Schools Accreditation of an institution is required for full accreditation with the Commission." A plaintiff, Phillips Colleges, Inc., contended that the jurisdiction of the MCCA did not apply to Phillips Colleges, Inc., as it was grandfathered in when the legislation creating the MCCA was enacted. The Attorney General in Mississippi ruled, however, that the MCCA did have jurisdiction over any and all institutions and that Phillips Colleges, Inc. had to comply with the rules, regulations, and standards of the MCCA if it was to obtain the authority necessary to confer degrees in Mississippi.

The MCCA requirement that institutions must have SACS accreditation before the MCCA would grant approval to confer degrees in Mississippi was challenged also by Phillips Colleges, Inc. It was the contention of Phillips Colleges, Inc. that their accreditation by the Association of Independent Colleges and Schools was sufficient to meet the standards under SACS accreditation. The MCCA disagreed and the Chancery Court of Hinds County ruled with the MCCA in a decision rendered in February 1983.

Currently, Phillips Colleges, Inc. is working with the Mississippi Commission on College Accreditation to seek the necessary SACS accreditation.

IV. Summary and Discussion of Findings

In general, states define proprietary institutions as private educational institutions organized "for-profit." Several states, however, make no distinction between "for-profit" and "nonprofit" in their respective statutes, regulations, and application of standards; only "public" versus "nonpublic" distinctions are made. Most states reported that all "for-profit" institutions are eligible to confer degrees (as nonpublic, private institutions of higher/postsecondary education) upon approval from the SHEEO agency. Few of the total number of eligible schools in a state, however, actually do confer degrees. SHEEO agencies usually have responsibility for granting the "for-profit" proprietary institutions authority to confer degrees (through their degree and degree program approval authorities), while the State Departments of Education usually have responsibility for licensing the "for-profit" institutions. Usually it is the SHEEO agency alone that has responsibility for administering state laws, rules, regulations and standards respective to the nonpublic, "nonprofit" institutions of postsecondary education.

A state license, most often obtained from State Departments of Education, gives the proprietary institution authorization to do

business within the state. Other licenses may be required from specialized licensing boards and/or commissions to show that the institution has a license or offer particular vocational/ technical/occupational programs or that completion of the program can allow the program completer to sit for the state licensing examination.

Only Florida and Mississippi reported that they had been involved in litigation with proprietary schools over the requirement that certain regional accreditation be obtained before the institution can be granted authority to confer degrees in the state.

Many use accreditation and the criteria for accreditation followed by the Council on Postsecondary Accreditation (COPA) accrediting associations as the standards applied to proprietary schools asking to confer degrees.

Once the proprietary school is licensed to operate and achieves either special or regional accreditation from a recognized accrediting association it applies to the SHEEO agency for the authority to confer degrees. The degrees proprietary institutions most often confer are at the associate degree level, although, there are exceptions.

Discussion

In November 1975, George Washington University's Institute for Educational Leadership released a report entitled Approaches to State Licensing of Private Degree-Granting Institutions [1]. The report discussed the conduct of state licensing, identified issues related to state licensing and suggested priorities for future action regarding the state licensing of private degree-granting institutions. While this SHEEO survey and report do not directly address the "issues," there is a hint in our findings that many of the questions raised and issues identified in 1975 remain unresolved. For example:

1. What is a proprietary institution? These survey findings provide no clear answer.

2. How do these educational institutions, schools, businesses and their respective courses and programs fit into state and national postsecondary delivery systems? This survey did not address this question but the findings suggest that there is great uncertainty about what proprietary institutions are, what they do, and how they should be treated by the states and the postsecondary education community.

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1. The Airlie Conference Report, IEL Reports: Eight, November, 1974; Postsecondary Education Convening Authority.

3. If postsecondary education is a viable concept, is an operational definition needed? For-profit, nonpublic institutions award postsecondary education diplomas and certificates and in some instances award degrees that transfer in whole or in part to other institutions and programs. There is a hint in the survey findings, however, that even though proprietaries confer degrees, some states and the higher education community have not accepted them as partners in the delivery of postsecondary education. Without some broader operational definition of postsecondary education, disjointed and fragmented state policy will likely adversely affect the development of a well organized and integrated system of postsecondary education. This issue needs to be discussed and debated.

4. If the postsecondary education enterprise is to be fully integrated and considered in its totality, do the following institutional characteristics have any meaning in the state planning and policy formulation process: "for-profit;" "not-for-profit;" level and type of instruction and training offered; and the environment provided for teaching, learning, and acquiring skills? National discussion may be needed to address whether or not these different characteristics should make any difference in how different types of postsecondary institutions should and should not be treated by the states and other sectors of the enterprise.

5. Does the context of postsecondary education require that states re-examine the basic premises of what is a postsecondary educational institution and what agencies of state government should be involved in

their oversight? In many states the licensing function is in one agency and the degree granting authority is performed by another. In some states both functions are performed by the SHEEO agency only if the institution confers degrees. Further discussion might address the issues and problems associated with different agencies being involved with the performance of the state oversight functions.

Certainly other questions and issues are suggested by this survey. The survey responses and the material contributed by the respondents (Appendix 4) are available to state postsecondary agencies that may want to pursue this matter farther.

For further background and information on this report and these materials, contact John R. Wittstruck, SHEEO Office, 1860 Lincoln Street, Suite 310, Denver, Colorado, 80295, (303) 830-3855.

APPENDIX NO. 1

Survey Correspondence and Questionnaire

State of Rhode Island and Providence Plantations
OFFICE OF HIGHER EDUCATION
199 Promenade Street, Providence, Rhode Island 02908-5089

Eleanor M. McMahon
Commissioner

401-277-6560

December 12, 1983

Dear

Attached is a questionnaire about the authority of proprietary institutions in your state to grant degrees. Rhode Island standards for the granting of degrees specifically exclude proprietary institutions. It is my understanding that while this practice is the predominant one, there are a number of states which do in fact give degree-granting authority to institutions which are organized for profit. However, I have been unable to locate any centralized information on this practice across all states. I would therefore appreciate it if you would respond to this questionnaire.

John Wittstruck, Director of the SHEEO/NCES Communication Network, has agreed to analyze your responses and prepare a summary report. That report will be shared with all respondents.

Your help in gathering these data is deeply appreciated.

Very truly yours,

Eleanor M. McMahon

EMCM:jg
Attachment
c. John Wittstruck

JC2

October 25, 1983

TO: State Higher Education Executive Officers

FROM: Eleanor M. MaMahon

RE: Degree-Granting Authority of Proprietary Institutions

I would greatly appreciate it if you would respond by November 30, 1983 to the following questions regarding degree-granting authority of proprietary institutions in your state. "Proprietary institutions," for the purpose of questions 2-6 of this questionnaire, is defined as a postsecondary institution organized for profit. Also, for the purpose of this survey, a degree is defined as an Associate, Baccalaureate, Master's, Doctorate or other academic award at the associate or a higher degree level.

1. What is the definition of "proprietary schools" in your state?

   _____

   _____

2. Can proprietary institutions in your state confer degrees? Yes _____ No _____
   (Please exclude hospital schools of nursing in responding to this question.)
   If the answer to the above question is "No," please provide below any background information relevant to this fact:

   - o Is the barrier to degree-granting authority statutory? Yes _____ No _____
     Other _____ (Please specify)
   - o Is this matter currently under review? Yes _____ No _____
   - o Other relevant information _____

   If the answer to the above question is "Yes," please answer the following questions:

   - o Since what year have proprietary schools had degree-granting authority: _____
   - o Was degree-granting authority granted by statute? Yes _____ No _____
     By regulation? Yes _____ No _____
   - o Does you agency have responsibility for granting proprietary schools authority to confer degrees? Yes _____ No _____
     If "No," which agency does? _____
   - o For what degrees may a proprietary school qualify? (Please specify both the level and nature of the degree.)

   Associate of Occupational Studies (AOS) ___

   Associate of Applied Science (AAS) ____

   Associate of Science (AS) ____

   Associate of Arts (AA) ____

   Other Associate Level ____
   Specify _____

   Baccalaureate _____
   Specify _____

   Master's _____
   Specify _____

   Doctorate ____
   Specify _____

   Other ____
   Specify _____

- o Are the regulations which govern degree-granting authority for proprietary schools the same as ___ different from ___ regulations covering degree-granting authority of non-proprietary schools?

3. Approximately how many proprietary schools are there in your state? _____
   Of these, how many have degree-granting authority? _____

4. Does your agency have general licensing authority over proprietary schools?
   Yes _____ No _____

   If "No," what agency does? _____

5. Is there any relationship between the standards for proprietary schools seeking degree-granting authority and regional accreditation? (e.g. New England Association of Schools and Colleges or Western Association, etc.) Yes _____ No _____

   If so, what is that relationship? _____
   _____

   If your state requires one specific type of accreditation (for example regional accreditation) in order for a proprietary school to obtain or maintain degree-granting authority, has this requirement ever been challenged in the courts?
   Yes _____ No _____

   If the answer to the preceding question is "Yes," please specify the names of the litigants, the nature and outcome of the litigation, the highest court which rendered a decision in the case, and the date of that decision. _____
   _____
   _____

6. Has your state ever been involved in any litigation regarding its authority to preclude degree-granting authority to proprietary institutions? Yes _____ No _____

   If so, please specify the names of the litigants, the nature and outcome of the litigation, the highest court which rendered a decision in the case, and the date of that decision. _____
   _____

   If it would not be too burdensome, please attach a copy of your regulations governing proprietary schools.

Respondent _____ Title _____

Agency _____

Address _____ Tel. No. ___/___/_____

_____
City/State/Zip Code

RETURN TO: John R. Wittstruck, Director, SHEEO/NCES Communication Network
1860 Lincoln Street, Suite 310, Denver, CO 80295

THANK YOU FOR YOUR HELP!

APPENDIX NO. 2

State Definitions of

Proprietary Institutions

State Definitions of Proprietary Institutions

Unless cited differently, definitions were taken from the respondents reply to Survey Question No. 1.: What is the definition of "proprietary schools" in your State?

Alabama: No clear definition of "Proprietary Schools."

"The State of Alabama has not clearly established an authority for granting degrees in proprietary institutions. While the State Department of Education is the licensing agency for all in-state proprietary institutions, the Alabama Private School License Law (Act 80-272) does not specifically grant to that agency the authority to deny or approve the granting of degrees. For this reason, we do not know how many institutions may be granting degrees." (cover letter correspondence attached to completed survey).

Alaska: Not legally defined; commonly assumed definition and usage is "For Profit."

Arizona: There is no statute in Arizona regarding degree-granting proprietary schools: No legal definition.

Arkansas: "Arkansas Act 560, 1977, distinguishes between state-supported and privately held institutions; the Act treats equally proprietary postsecondary institutions and private colleges not covered under Act 416 of 1965. Those private liberal arts colleges existing prior to 1965 are exempt from the program certification process of the State Board of Higher Education." (statement attached to completed survey).

California: Proprietary schools are not defined by statute or regulation.

Colorado: "The term 'proprietary school' has no legal definition in Colorado. A 'private occupational school' is defined in statute--any entity or institution for profit or not for profit located within or without this state which offers educational credentials or educational services that constitute occupational education in this state and which is not specifically exempt from the provisions of this article..." Private Occupational Education Act of 1981 -12-59-103, Definition sections (11), (18), and (8.5)). (information attached to completed survey)

Connecticut: "Private occupational school" means a school offering instruction in any form or manner in any trade, industrial, commercial, or service occupation for any renumeration, consideration, reward or promise of whatever nature, except private occupational school shall not include (1) a school under public supervision and control; (2) a school conducted by a firm or organization solely for the training of its own employees or members; or (3) a school authorized by the general assembly to confer degrees." (P.A. 79-380, S.1.) Section 10-7a.

Delaware: No report

District of Columbia: No report

Florida: "A school/college owned by an individual rather than a Board of Trustees." (statement attached to completed survey)

Georgia: "Proprietary school means any business enterprise operated for profit, or on a nonprofit basis, which maintains a place of business within Georgia or solicits business within Georgia and which is specifically exempted by provisions of Section 4 of the Act and offers or maintains a course or courses of instruction or study and at which place of business such a course or courses of instruction is available through classroom instruction or by correspondence, or both, to a person or persons for the purpose of training, preparing or improving the person for a field of endeavor in a business, trade, technical or industrial occupation." (Guidelines and Standards for Proprietary Schools, 1983).

Hawaii: "The notion of a 'proprietary school' is not specifically defined under Hawaii law. There are provisions of law which refer to 'private' vocational, technical, and occupational schools, but these are not regarded as postsecondary institutions, and responsibility for their regulation rests with the State Department of Education.

"As to degree-granting institutions in general, the State of Hawaii does not regulate, license, or otherwise approve (or disapprove) their operation in the State. The only relevant provision of law is a truth-in-advertising type of statute requiring that any degree-granting institution which is not accredited by a recognized accreditation association must so indicate in all of its advertising." (statements in correspondence from respondent).

Idaho: "An individual, firm or corporation offering courses and offering conducting the same, for a fee, compensation or tuition, in this state or from a place of business in this state." (Idaho Code, Chapter 24, "Correspondence and Other Private Courses").

Illinois: An educational institution chartered by the Secretary of State as a for-profit institution.

"Illinois currently has three statutes that regulate private higher education institutions operating in this State. One statute, the Business and Vocational Act, is administered by the State Board of Education. Institutions under this Act primarily offer less-than-two year programs not leading toward a degree but having specific vocational objectives. However, some of these institutions are also covered by the Acts administered by the Board of Higher Education, i.e. if they grant degrees. The Board of Higher Education administers two acts regulating institutions wishing to operate in Illinois, an Act Regulating Private Colleges and an Act Regulating the granting of Academic Degrees.

"All three Acts cited are silent with respect to their profit or not-for-profit status. Therefore, neither the State Board of Education

and the Illinois Board of Higher Education can consider an institution's funding under these Acts.

"Fourteen 'proprietary' institutions have received degree-granting authority ranging from the Associate through the Doctorates. The Board, under the legislation, has also granted operating authority to two organizations that have training programs for their members or employees and both are expected to seek degree-granting authority at the Associate level in the near future." (cover letter correspondence attached to completed survey).

Indiana: "Postsecondary proprietary educational institutions means any person doing business in this state by offering to the public for a tuition fee or charge, instructional or educational services or training in any technical, professional, mechanical, business or industrial occupation, either in the recipients home, at a designated location or by mail." Indiana Code (20-1-19-1-9).

Iowa: Iowa has no legislation covering proprietary schools other than (1) proper incorporation and (2) general consumer fraud legislation.

Kansas: Organized for profit

Kentucky: Proprietary school is "an educational institution privately owned and operated by an individual, partnership, association or corporation offering training in business, trade, technical industrial or related areas through residence, extension or correspondence for which tuition is charged." (Kentucky Code 165A.310, "Definitions").

Louisiana: "Proprietary school means any business enterprise operated for a profit or on a nonprofit basis which sells or offers for sale any course of instruction in this state, either by correspondence using the mails or by any other means of communication, or by personal solicitation, and (a) which offers or maintains a course or courses of instruction or study, or (b) at which place of business such a course or courses of instruction, or study is available through classroom instruction, or both, to a person or persons for the purpose of training or preparing such for a field of endeavor in a business, trade, technical or industrial occupation." (Louisiana Code, Chapter 24, Proprietary Schools).

Maine: A privately owned business, trade, and technical schools is "any organization or association doing business in the State of Maine by offering to the public for a tuition, fee, or charge, instructional or educational services or supplementary training and which is not specifically exempted." (Maine Rules #50-071, CMR 147).

Maryland: No report

Massachusetts: An institution of higher education incorporated for profit-making purposes under the provisions of M.G.L.c.156B.

Michigan: A private non-degree granting postsecondary institution offering occupational or vocational skills, either incorporated or unincorporated - profit or nonprofit.

Minnesota: Incorporated as a for-profit institution.

Mississippi: Any institution organized for profit to offer courses of study.

Missouri: "Any person (individual, corporation, partnership, association, or business entity) not specifically exempted (e.g. public institution, not for profit school exempted from property taxation) in Section 2 or other provisions of this act which offers or maintains on either a profit or not for profit basis within the State of Missouri a course or courses of instruction or study through classroom instruction or correspondence." (House Bill 560, 82nd General Assembly).

Montana: No definition exists.

Nebraska: "Private vocational institution shall mean vocational technical, home study business, or other school, or other organization or person offering instruction or educational services for attainment of occupational objectives." (Nebraska School Laws; Article 28).

Nevada: Nevada makes no distinction between profit and nonprofit institutions.

New Hampshire: No report

New Jersey: An institution organized and incorporated "for profit." "...non-degree granting proprietary institutions come under the preview of the New Jersey Department of Education; degree-granting proprietary institutions are under the New Jersey Department of Higher Education." (cover letter correspondence attached to completed survey).

New Mexico: New Mexico laws are silent with regard to degree-granting authority for private and proprietary schools.

New York: Postsecondary Institution organized for profit.

North Carolina: A for-profit institution

North Dakota: No report

Ohio: Schools operating "for-profit"

Oklahoma: An "organized for-profit" institution which does not award college credit.

Oregon: "Vocational School means any private proprietary vocational, technical, home study, correspondence, business, professional or other school instruction, organization or person that offers any instruction

or training for the purpose or purported purpose of instructing, training or preparing persons for any vocation or profession." (Oregon Code 345.010, "Definitions").

Pennsylvania: Only Private Trade Schools and Private Business schools are defined.

"Private Trade School or schools shall mean a school maintained or classes conducted for the purpose of offering instruction for a consideration, profit or tuition, the purpose of which is to prepare an individual to pursue a recognized profitable occupation on the skilled trades or industries, or to give occupational training."

"Private Business School - a school maintained or classes conducted for the purpose of offering resident instruction for a consideration, profit or tuition, the purpose of which is to prepare an individual to pursue a recognized profitable occupation in commercial pursuits and business phases or other occupations for which graduation from a degree-granting institution or college grade is not required, but not including junior colleges or religious institutions." (Act of May 2, 1945, P.L. 40), as amended).

Puerto Rico: A school that is organized for profit.

Rhode Island: An organization or association, profit or non-profit doing business in the State of Rhode Island by offering the public for a tuition, fee or charge, instructional or education services or supplementary training and which is not specifically exempted.

South Carolina: "Any person offering resident or correspondence courses to students upon the payment of tuition or fees" - exemptions are listed. (Proprietary School Law Act No. 405, 1971)

South Dakota: No statutory definition

Tennessee: "The term 'proprietary' has not been found to be useful or descriptive. Years ago many 'proprietary' institutions found it beneficial to adjust their framework in order to comply with certain IRS provisions and gain tax advantages as non-profit corporation." (statement taken from correspondence submitted by respondent).

Texas: No distinction is made between "proprietary" and other types of private (nonpublic) institutions.

Utah: Utah has no statutory authority for proprietary education, either degree granting or non-degree granting.

Vermont: No report

Virginia: Schools organized for profit.

Washington: Postsecondary institution organized for profit.

West Virginia: "The term 'higher educational institution' shall mean any institution as defined by sections 401(f), (g), (h) of the Federal Higher Education Facilities Act of 1963, as amended, and shall also mean any private proprietary educational institution in this State operated for profit which offers one or more programs leading to a degree." (Section 18-26-2 of West Virginia Code).

Wisconsin: No response

Wyoming: No response

APPENDIX NO. 3

Listing of Survey Respondents

Listing of Survey Respondents

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Director, Licensure/Accreditation
Department of Higher Education
61 Woodland Street
Hartford, CT 06105
(203) 566-2325

DELAWARE
No Response

DISTRICT OF COLUMBIA
No Response

FLORIDA
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Supervisor, Postsecondary
Education Policy Unit
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Wanda Gray
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MARYLAND
No Response

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Board of Regents of Higher
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Higher Education Coordinating
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Board of Trustees of State
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NEW HAMPSHIRE
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NORTH DAKOTA
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Senior Vice Chancellor
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WEST VIRGINIA
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WISCONSIN
No Response

WYOMING
No Response

APPENDIX NO. 4

Listing of State Statutes, Rules,

Regulations and Other Material Respondents

Attached to Completed Questionnaires

Materials Related To Proprietary Institutions
Submitted By Survey Respondents

Alabama: Alabama Law
Act No. 79-461 H.494-Pegues
"An Act to establish the Alabama Commission on Higher Education...to provide the Commission with the authority of approval for new units or programs of instruction for academic credit..."

Act No. 80-272 H.319 Sasser
"An Act known as the Alabama Private School License Law, relating to the regulation of certain schools and courses of instruction publicized, sold, offered for sale, and administered to residents of this state; so as to provide for effective and realistic regulation of such schools and courses of instruction.

Alaska: Statutes and Regulations for Operating a Postsecondary Educational Institution in Alaska. Alaska Commission on Postsecondary Education, June, 1982.

Arizona: No other materials submitted.

Arkansas: Arkansas Law
Act 903, 1975
"An Act to Require Postsecondary Education Institutions, Other Than State-Supported Institutions....Which Are Hereafter established in Arkansas to be certified by the State Board of Higher Education...Schools regulated by the State Board of Cosmetology desiring to offer programs in which degrees would be granted to be certified by both the State Board of Higher Education and the State Board of Education...To empower the State Board of Higher Education to establish rules, regulations, and criteria for certifications required by this Act..."

Excerpts from Act 560, 1977 (previously Act 903, 1975)

Rule 1: Rules on Organization and Structure

Rule 2: Certification Process

Rule 3: Criteria for Institutional Certification

Rule 4: Policy Regarding Relationship Between Section 5 of Act 560 of 1977 and Act 416 of 1965, as amended

Rule 5: Certification and Separation of Church and State

Rule 6: Exemption of Military Programs from Certification Requirements

Rule 7: Chartering a New Institution

Rule 8: Review of Certification

Rule 9: Complaint Procedure

California: The Private Postsecondary Education Act of 1977, as amended; Chapter 3, Part 59, Division 10, California Education Code 1983 Revisions. California State Department of Education, Office of Private Postsecondary Education.

Superintendent of Public Instruction
Regulations, California Administrative Code. Title 5, Division 21, to implement the "Private Postsecondary Education Act of 1977"

Colorado: Colorado Law
C.R. 23-2-101 et seq. amended 1981
"The Degree Authority Act and Policies of the Colorado Commission on Higher Education for its Administration"

Colorado Law, Rules and Regulations Concerning the Regulation of Private Occupational Schools; State Board for Community Colleges and Occupational Education.

Connecticut: Connecticut Law
Section 10-7a. Private occupational schools definitions
Section 10-7b. Certification of authorization as occupational schools; application; evaluation.
The General Statutes of Connecticut
Revision of 1958, revised to January 1, 1983

Rules
"Regulations for Licensure and Accreditation"
Board of Governors for Higher Education, 1974

Delaware: No Response

District of Columbia: No Response

Florida: Florida Law
F.S. 1982 Ch. 246
"Nonpublic Institutions"
An act to (1)...encourage privately supported higher education and to protect the integrity of degrees and diplomas conferred by privately supported colleges...(3) Because of the common use of diplomas and degrees, the minimum legal requirements as provided by ss 246.011-246.151 for the establishment and operation of nonpublic colleges will protect the individual student...

Georgia: Georgia Law
Postsecondary Educational Authorization Act of 1978 (HB112)
Rules

"Regulations prescribing the rules, standards, interpretations and illustrations for the implementation of the Postsecondary Educational Authorization Act of 1978 (HB112)>"...Under this Act, the Georgia State Board of Education will use these prescriptions to authorize private postsecondary degree-granting institutions to operate in the State of Georgia...

Guidelines and Standards for Proprietary Schools
Georgia Board of Education, 1983

Hawaii: Letter of explanation from Peter N. Dobson, Jr. Assistant Vice President for Academic Affairs, University of Hawaii

Idaho: Idaho Code
Chapter 24
"Correspondence and Other Private Courses"

Illinois: Letter of explanation from Richard D. Wagner, Executive Director, Illinois Board of Higher Education.

Indiana: Letter of explanation from William J. Ewbank, Assistant Commissioner, Indiana Commission for Postsecondary Proprietary Education.

Iowa: No Other Material Submitted

Kansas: Rules and Regulations for Authorizing Non-Public Educational Institutions to Confer Degrees in Kansas
Kansas State Board of Regents, 1980

Kentucky: Kentucky Law
ss 165A.310 to 165A.400
"Proprietary Education"

Louisiana: Louisiana Law
Act No. 207 House Bill No. 819
"An Act...to provide authority of the State Board of Elementary and Secondary Education to approve or disapprove occupational degree proposals from eligible proprietary schools; to provide for qualifications for degree granting status...

Act 311
Chapter 24. Proprietary School (defines proprietary schools and provide exclusions from the definitions).

Maine: Maine Law
Title 20-A Education
Chapter 409
Degree-granting Institutions

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Rules
"Rules and Regulations for Certification of Privately Owned Business, Trade and Technical Schools," Rule #05-071, CMR 147;
Department of Educational and Cutural Services, Bureau of Instruction (rule details the critical to be met by any privately owned businesses, trade and technical school to obtain certification to do business in the State of Maine).

Maryland: No Response

Massachusetts: Rules
"610 CMR board of Regents of Higher Education"
"610 CMR 11.00: Independent Institutions of Higher Education Standards" Massachusetts Board of Regents of Higher Education.

Michigan: Rules
"Policies and Procedures on the Establishment and Approval of Nonpublic Colleges and Universities in Michigan" Michigan Department of Education, 1979

"Guidelines for Licensure of a Private Occupational School"

"Application for License to Conduct a Private Trade School, Business School, or Institute in Michigan.

Minnesota: Minnesota Laws
Chapter 135A
An Act relating to education; higher education coordinating board; providing procedure for registration and approval of private postsecondary institutions.

Rules
"Private Institutions Registration and Approval of of Degrees and Names"

Mississippi: Mississippi Law
Chapter 60
"Proprietary Schools and Colleges"
This law covers proprietary schools and colleges that do not offer collegiate degrees.

Rules
"Authority and Standards of the Mississippi Commission on College Accreditation" Mississippi Commission on College Accreditation, 1982.

Missouri: Missouri Law
House Bill No. 560, 82nd General Assembly
"An Act relating to the certification and regulation of certain proprietary schools, with penalty provisions."

Montana: No Other Material Submitted

Nebraska: Nebraska Law
Article 28, 79-2801 to 79-2858
"Private Vocational Education"
"An Act to provide for the protection, education, and welfare of the citizens of the State of Nebraska, its private vocational education institutions, and its students by: (1) establishing minimum standards concerning quality of education... (2) Prohibiting the granting of false educational credentials; (3) Prohibiting misleading literature...(4) Providing for the preservation of essential records; and (5) Providing certain rights and remedies to the consuming public and the board necessary to effectuate the purposes of this Act."

Nevada: No Other Material Submitted

New Hampshire: No Response

New Jersey: Rules
Proposed New Rules: N.J. A.C. 9:1
"Colleges and Universities Licensing and Degree Program Approval Rules: New Jersey Board of Higher Education", 1983

New Mexico: No Other Material Submitted

New York: Statement on
"Degree-granting Authority of Proprietary Institutions in New York State"

North Carolina: No Other Material Submitted

Ohio: No Other Material Submitted

Oklahoma: Oklahoma Law
Article XI
"Private Colleges and Universities"
Establishment; Property; Accreditation; Degrees; Existing Private Educational Institutions

Oregon: Oregon Law
345.010 to 345.450
"Private Vocational Schools"
Definitions; Licensing; Standards; Hair Design; Cosmetology and Manicure Schools

348.785 to 348.890
Related to responsibilities of the Oregon Educational Coordinating Commission
Special Programs; Degrees; Coordination with Other State Agencies

Pennsylvania: Pennsylvania Law
P.L. 401, May 2, 1945
"An Act...provide that Private Trade Schools and Classes in the Commonwealth of Pennsylvania may be established and operated only when properly licensed. The licensing and the regulation of these schools or classes, the conferring of power to issue, refusing to issue, suspending or revoking a license, imposing duties and providing penalties have been vested in the State Board of Private Trade Schools."...Definitions...

Rules
Chapter 42
"Program Approval"

"Materials Related to the Approval of Programs of Postsecondary Institutions Requesting a Certification of Approval to Award the Associate in Specialized Business and/or the Associate in Specialized Technology Degree."

Division of Academic Program Approval Bureau of Academic Programs, Pennsylvania Department of Education.

Puerto Rico: Rules
"Regulations for the Granting of License to Private Institutions on Postsecondary Education"
Council on Higher Education, Office of License and Accreditation of Private Institutions on Postsecondary Education, 1977.

Rhode Island: No Other Material Submitted

South Carolina: Legislation (Act 201 of 1977) and Regulations for Licensing Non-Public Educational Institutions to Confer Degrees
South Carolina Commission on Higher Education, 1978

Laws, Rules and Regulations Governing the Licensing of Proprietary Schools and the Issuing of Permits to their Agents (for nondegree-granting proprietaries) Office of Adult Education, State Approving Section South Carolina Department of Education, 1983

South Dakota: South Dakota Laws
Chapter 13-48
"Solicitation of Students by Nonpublic Schools"

Chapter 24:40:04
"Regulation of Postsecondary Schools"

Tennessee: No Other Material Submitted

Texas: Rules

Chapter 5
"Program Development" 5.211
Subchapter K
"Private Degree-granting Institutions Operating in Texas"

Utah: No Other Material Submitted

Vermont: No Response

Virginia: Virginia Laws
Chapter 16
"Private Trade, Technical, Business and Correspondence Schools; Schools for the Handicapped"

Chapter 21
"Regulation of Conferring of Degrees, etc."

Washington: Washington Law
"Regulation Act"

Rules
"Registration Manual"
Washington Council for Postsecondary Education

West Virginia: West Virginia Law
Section 18-26-2
Includes proprietary institutions (those operated for profit) in the definition of "higher educational institution."

Section 18-26-31a
Authorizes the Board of Regents to make rules and regulations for the accreditation of institutions of higher education and to determine the minimum standards for the conferring of degrees.

Rules
"Policy Regarding the Accreditation and Approval of Degree-granting Institutions."
West Virginia Board of Regents Policy (Bulletin No. 15, 1982)

Wisconsin: No Response

Wyoming: No Response